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2 September 1953

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT: Application of MICC Policy by CIA

Problem:

1. To determine whether or not SD-MICC policy will apply to dissemination of CIA non-military intelligence and intelligence information to foreign governments (nationals).

Discussion:

2. SD-MICC policy (U. S. National Disclosure Policy, MICC 206/29) is set by State-Defense Military Information Control Committee to control the release of classified military information to foreign governments. It sets forth categories of information and security classification levels within which classified military information is either releasable or non-releasable to a given country or countries.

3. NSCID 1, revised March 1952, states that MICC policy, as applied by the Army, Navy and Air Force, will control the release to foreign governments of classified military information contained in national intelligence. On 13 August 1952 the former DD/I directed that SD-MICC policy would govern the release to foreign governments of classified military information contained in CIA finished intelligence.

4. Previously, Admiral Hillenkoetter, as DCI, extended the application of SD-MICC policy to all matters of dissemination to foreign governments. This Hillenkoetter ruling was never reduced to writing but is maintained by the Director of Security. In the absence of specific evidence of such a ruling the DD/I, who has been given authority under CIA Regulation [] to obtain final determination in questions of dissemination policy, and the DD/P have encountered difficulty by the apparent conflict between the alleged Hillenkoetter ruling and the policy of NSCID No. 1. For example, an extension of SD-MICC policy precludes []

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non-military information documents as:

The Shipbuilding Component Industry in East Germany,
ORR, SECRET

Progress in USSR Coal Industry, FDD, CONFIDENTIAL

Niobium, Tantalum and Titane-Magnetite Deposits in the
USSR, FDD, CONFIDENTIAL

even though the originating offices (ORR and FDD) agree to the release. I believe you discussed this general problem with the

5. The existing regulations on dissemination are being overhauled and shortly DDI plans to propose to the DCI a single simplified regulation on this subject. At present, the President's policy of net advantage and, where feasible, the personal security to the recipient of material classified Secret or higher, governs this agency's foreign dissemination.

6. The practice of attempting to fit questions of dissemination into a pre-determined formula wherein the releasability of material is determined by level of classification and category of information is unrealistic. It is appropriate to decide a question of dissemination in terms of specific environment in order to determine net advantage. Under specific conditions "net advantage" can be estimated in the light of need-to-know, short or long-run gain and security recommendations.

7. In order to clear the matter of application of SD-MICC policy by this agency we recommend that you approve the following:

Recommendations:

8. The application of SD-MICC policy to dissemination (disclosure) of material in possession of the Agency will be confined to classified military information only.

9. The responsibilities for final determination of what is or is not classified military information will rest with those officers who have dissemination responsibility under existing CIA regulations. These same officers will determine the releasability of all

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intelligence and intelligence information from the standpoint of policy as set forth in existing CIA regulations and directives and in making this determination will weigh any security risk against the advantage of such release.

10. The foregoing policy will be incorporated into the regulation, now being revised, on dissemination.

ROBERT AMORY, JR.
Deputy Director (Intelligence)

FRANK WISNER
Deputy Director (Plans)

OIC/WRL:pgj (2 Sept'53)

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